

Bruce D. Johnson (BJ0375)

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Attorney for Plaintiff Applied Technology and Counterclaim Defendants Fetter & Henderson  
(Pty) Ltd. and John Fetter

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK

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APPLIED TECHNOLOGY LIMITED,

Plaintiff,

- against -

WATERMASTER OF AMERICA, INC.,

Defendant.

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WATERMASTER OF AMERICA, INC.

Counter-Plaintiff,

- against -

APPLIED TECHNOLOGY LIMITED, JOHN  
FETTER, and FETTER & HENDERSON LTD

Counter-Defendants.

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NOTICE OF MOTION

07 CV 6620 (LTS)

PLEASE TAKE NOTICE, upon the annexed declaration of Brian Hamlin, dated October 23, 2007, the declaration of John Fetter, dated October 22, 2007, the declaration of Bruce D. Johnson, Esq., dated October 29, 2007, the brief of plaintiff and counterclaim defendants, dated October 29, 2007, and the complaint herein, plaintiff and counterclaim defendants will move this Court, the Honorable Laura T. Swain, U.S.D.J., in Courtroom 17C, United States Courthouse,

500 Pearl Street, New York, New York 10007, on the 26<sup>th</sup> day of November, 2007, at 10:00 A.M. or as soon thereafter as counsel can be heard, for an Order disqualifying Defendant's attorneys of record, William R. Hansen, Esq. and Lathrop and Gage, L.C., from representing Defendant, Watermaster of America, Inc., in this case.

The undersigned attorney of record for plaintiff and counterclaim defendants certifies that plaintiffs and counterclaim defendants have used their best efforts to resolve informally the matters raised in their submission, as described in detail in the declaration of Bruce D. Johnson, Esq., dated October 29, 2007.

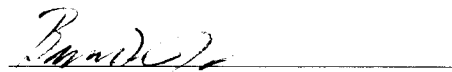
Dated: New York, New York  
October 29, 2007

  
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Bruce D. Johnson (BJ0375)

**CERTIFICATE OF SERVICE**

I hereby certify that, on the 29<sup>th</sup> day of October, 2007, I electronically filed the foregoing Counterclaim Defendant John Fetter's Reply to Counterclaims with the Clerk of the United States District Court, Southern District of New York, using the CM/ECF system and that a true copy of the foregoing Counterclaim Defendant John Fetter's Reply to Counterclaims was mailed this 29<sup>th</sup> day of October, 2007, by first class United States mail, to the following counsel of record:

William R. Hansen, Esq.  
Lathrop & Gage, L.C.  
230 Park Avenue, Suite 1847  
New York, New York 10169



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